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March 7, 2016

Request to Add Region to Application and Increase %

CC Docket No. 02-6

Federal Communications Commission Office of the Secretary 445 12th Street, SW Washington, DC 20554

To whom it may concern:

Appellant Name:

Cricky Cirillo, consultant for applicant.

Applicant:

Catholic Region of Manhattan

Corpus Christi BEN 10083 App 1014545 (add Region and increase %) Corpus Christi BEN 10083 App 1011859 & 1035166 (add Region only) St. Rose of Lima BEN 10164 App 1035913 & 1032653 (add Region only)

Region BEN #:

16085429

Applicant Form 471 #:

1014545, 1011859, 1035166, 1035913, 1032653

We are appealing the Funding Decision Commitment Letters for the above schools and seek corrections of the discount calculation for all of their 2015-2016 FRNs from their individual E-Rate discount levels to the correct average discount level of the Central Administrative Agency.

When originally filed, the school's funding was determined through <u>individual</u> discount levels. After completing the filings for the school, and upon reaching the PIA Review stage, <u>we discovered that the schools were actually part of a Central Administrative Agency</u> named "<u>Catholic School Region of Manhattan, BEN 16085429</u>" and therefore the school's discount level should have been calculated using the CAA's aggregate data.

This "Regional/CAA" status was unknown to us prior to this discovery. Immediately upon this discovery, we contacted USAC looking for guidance. This letter reflects the guidance provided. At this time, we are asking you to add "<u>The Catholic School Region of Manhattan</u>, <u>BEN 16085429</u>" as a NIF to the Form 471, and to adjust the approved discount level of the school to reflect the discount level of "Catholic School Region of Manhattan" of 80%.

Attached is a copy of the Charter of <u>Catholic School Region of Manhattan</u> which delineates all of the schools that are part of this CAA, an LOA and a spreadsheet showing all of the CAA schools and the enrollment & low income data of the CAA.

Respectfully,

Cricky Cirillo, for Richard Senturia, Consultant Consulting Number 16048902 9666 Olive Blvd, Suite 215 Olivette, MO 63132 314-282-3675 direct line 314-395-5882 fax cricky@erateprogram.com



CATHOLIC SCHOOL REGION OF MANHATTAN' ABSOLUTE CHARTER IN THE FIRST INSTANCE

This Instrument Witnesseth That the Board of Regents for and on behalf of the Education Department of the State of New York at their meeting of July 22, 2013.

Voted, that

- 1. An absolute charter in the first instance is granted incorporating Timothy Cardinal Dolan, Bishop Gerald Walsh, Monsignor Gregory Mustaciuolo, Timothy McNiff, Reverend Gregory Chrisholm and their associates and successors as an education corporation under the corporate name of Catholic School Region of Manhattan, located in the city, county, and state of New York.
 - 2. The purposes for which such corporation is formed are:

To operate a nursery school for preschool children from three to five years of age, kindergarten for five year old children and grade one through eight elementary schools. The schools will be located in New York County.

- 1. Ascension School, located at 220 West 108th Street, New York, NY 10025;
- Corpus Christi School, located at 535 West 121st Street, New York, NY 10027;
- 3. Guardian Angel School, located at 193 10th Avenue, New York, NY 10011;
- Blessed Sacranient School, located at 147 West 70th Street, New York, NY 10023;
- 5. Incarnation School, located at 570 West 175th Street, New York, NY 10033;
- Our Lady of Lourdes School, located at 468 West 143rd Street, New York, NY 10031;
- Our Lady Queen of Martyrs School, located at 71 Arden Street, New York, NY 10040;
- 8, Sacred Heart of Jesus School, located at 456 West 52nd Street, New York, 10019
- St. Ann School, located at 314 East 110th Street, New York, NY 10029;
 St. Charles Borromeo School, located at 214 West 142nd Street, New York, NY 10030;
- 11. St. Elizabeth School, located at 612 West 187th Street, New York, NY 10033;
- 12. St. Gregory the Great School, located at 138 West 90th Street, New York, NY 10024;
- 13. St. Paul School, located at 114 East 118th Street, New York, NY 10035;
- 14. St. Rose of Lima School, located at 517 West 164th Street, New York, NY 10032;
 and
- 15. St. Brigid School, located at 185 East 7th Street, New York, NY 10009.
- 3. The proposed corporation shall have the power (a) to buy, own, sell, assign, mortgage, or lease ary interest in real estate and personal property and to construct, operate, and maintain improvements thereon necessary and incident to the accomplishment of the purposes set forth herein, (b) to borrow money and issue evidence of indebtedness in furtherance of any or all objects of its business, and to secure the same by mortgage, piedge, or other lien on the proposed corporations property, and (c) to do and perform all other acts permissible under law, engage in any kind of activity, and to enter into, perform and carry out contracts of any kind, necessary and incident to the purposes of the proposed corporation.

- 4. The persons named as incorporators shall constitute the first board of trustees. The board shall have power to adopt bylaws, including therein provisions fixing the method of election and the term of office of trustees, and shall have power by vote of two-thirds of all the members of the board of trustees to change the number of trustees to be not more than twenty-nine nor less than fifteen. The trustee shall at all times include ex officio those persons as may be designated in accordance with the corporation's Bylaws.
- 5. The names and post office addresses of the first trustees are as follows:

Timothy Cardinal Dolan 1011 First Avenue New York, New York 10022

Bishop Gerald Walsh 1011 First Avenue New York, New York 10022

Monsignor Gregory Mustaciuolo 1011 First Avenue New York, New York 10022

Timothy McNiff 1011 First Avenue New York, New York 10022

Reverend Gregory Chisholm 214 West 142 d Street New York, New York 10030

- 6. The corporation hereby created shall be a nonstock corporation organized and operated exclusively for educational purposes, as defined in section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code), and no part of the net earnings or net income shall inure to the benefit of any member, trustee, director or officer of the corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation), and no member, trustee, director or officer of the corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets upon dissolution of the corporation.
- 7. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code) or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code).
- 8. No substantial part of the activities of the corporation shall be devoted to carrying on propaganda, or otherwise attempting to influence legislation, (except to the extent authorized by Internal Revenue Code section 501(h) as amended, or the corresponding provision of any future Federal tax code, during any fiscal year or years in which the corporation has chosen to utilize the benefits authorized by the statutory provision) and the corporation shall not participate in or intervene (including the publishing or distribution of statements) in any political campaign on behalf of or in opposition to any candidate for public office.
- 9. Upon dissolution of the corporation, the board of trustees, pursuant to the determination of the members of the corporation, shall after paying or making provision for the payment of all the liabilities of the corporation, dispose of the remaining assets of the corporation exclusively for one or more exempt purposes, within the meaning of

section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future Federal tax code), or shall distribute the same to the Federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by order of the Supreme Court of the State of New York in the judicial district where the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, organized and operated exclusively for such purposes, as said Court shall determine.

- 10. The principal office of the corporation shall be located at 1011 First Avenue, New York, New York 10022.
- 11. The Commissioner of Education is designated as the representative of the corporation upon whom process in any action or proceeding against it may be served.

Granted, July 22, 2013 by the Board of Regents of The University of the State of New York, for and on behalf of the State Education Department, and executed under the seal of said University and recorded as Number 25,941.

Chancellor

President of the University and Commissioner of Education

Letter of Agency for E-rate funding

This letter authorizes eRateProgram LLC to act as our agent in all matters, including signing and certifying all forms, required to obtain E-Rate funding for the 2015 and 2016 funding cycles ending 09/30/2017 for Regional Schools shown on Exhibit A – attached.

I certify our Schools "meets the definition of elementary and secondary schools under the No Child Left Behind Act of 2001 (20 U.S.C. § 7801(18) and (38)". (Check A or B)

A. An elementary school is a non-profit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under state law. Our endowment is less than \$50,000,000.

We meet this test Y

B. A secondary school is a non-profit institutional day or residential school, including a public secondary charter, school that provides secondary education, as determined under state law, except that such term does not include any education beyond grade 12. Our endowment is less than \$50,000,000. We meet this test Y N

C. We have access to sufficient funding to use all services requested for 2012-2014.

D. We will not sell, resell, or misuse services purchased using E-rate funds.

E. We recognize that E-rate discount levels and calculations are subject to change annually and that discount levels at which Priority 2 funding is approved vary from year to year.

F. We agree to retain all E-Rate related documents at least 5 years after last receipt of E-Rate funded services; including all documentation of compliance with open-bidding rules, vendor selection criteria, and all notes about E-rates.

G. I have the authority to order Telecommunications, Internet Access, Internal Connections,

or Maintenance services requested through E-rates.

H. I authorize our consultant to access our Customer Proprietary Network Information ("CPNi") and to receive all information from our Service Providers needed to facilitate receipt of our E-Rate funding.

1. I certify that neither I nor our entity is barred from receiving E-rate funding.

I certify that I am authorized to sign this Letter of Agency and that I will not accept bribes, kickbacks or engage in any untawful conduct involving E-rate funds.

To the best of my knowledge, information and belief, we are eligible to receive E-Rate funds, as noted in paragraph A or B above, and the information we supply to eRateProgram LLC for E-rate submissions is true and accurate.

Paus W. Rich
(Printed Name of Signer)

Calcholic School Region of Manhatten

(Printed Address of clienti)

Gusiness Manager/Coopponite Secretary

5/15/15 (Signature)

Region	Name of School	BEN	Enrollment	F/R	Free	Reduced
16089429						
Manhattan	Ascension	10044	295	156	152	4
Manhattan	Blessed Sacrament	10008	351	55	55	0
Manhattan	Corpus Christi	10083	186	58	54	4
Manhattan	Guardian Angel	9908	220	147	89	58
Manhattan	Incarnation	10184	360	360	360	0
Manhattan	Our Lady of Lourdes	10159	310	309	309	o
Manhattan	O.L Queen of Martyrs	10242	275	246-	212	34
Manhattan	Sacred Heart of Jesus	9960	270	101	70	31
Manhattan	St. Ann	10112	235	106	51	55
Manhattan	St. Brigid	9882	227	175	175	0
Manhattan	St. Charles Borromeo	10145	238	239	239	0
Manhattan	St. Elizabeth	10171	336	163	163	0
Manhattan	St. Gregory the Great	10023	201	118	87	31
Manhattan	St. Paul	10216	256	O.		
Manhattan:	St. Rose of Lima	10164	198	195	195	0
		-	3958	2428		

E-Rate Discount

61.3% 80%